

	CHILD SEX CRIMES	Operations Order 7.17.00
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1. **INITIAL INVESTIGATION PROCEDURES**

A. Child sex crimes include:

- Child Molestation - [Arizona Revised Statute \(ARS\) 13-1410](#)
- Sexual Abuse of a Minor - [ARS 13-1404](#)
- Sexual Assault of a Minor - [ARS 13-1406](#)
- Sexual Conduct with a Minor - [ARS 13-1405](#)
- Sexual Exploitation of a Minor - [ARS 13-3553](#)
- Luring a Minor for Sexual Exploitation – [ARS 13-3554](#)
- Furnishing Obscene Material to a Minor - [ARS 13-3506](#)

B. The responding patrol officer/s should determine if a child sex crime has occurred and which agency has jurisdiction by interviewing the reporting party and evaluating all available information.

(1) Obtain the who, what, when, and where from the reporting party.

NOTE: When the Crimes Against Children Unit (CACU) assumes the investigation (see section 2 of this order), the victim should not be interviewed unless directed by a CACU supervisor or detective.

- Vague disclosures, such as “he touched my privates,” are substantial enough to warrant further investigation.

(2) If the crime occurred in another jurisdiction (within Maricopa County), officers will contact the appropriate agency and request that agency to respond/initiate a report, or provide that agency’s contact information to the reporting party [this information/the name of the agency’s representative will be documented in a Field Interview (FI)].

- If the agency is unknown, or the reporting party advises they contacted the appropriate agency but it is unknown if a report was completed, officers will complete an Incident Report (IR) ensuring Family Investigations Bureau (FIB), Child Crimes is selected for “Offense Element 2”.

* A CACU detective will ensure the report is forwarded to the appropriate agency.

(3) If the crime occurred in another jurisdiction (outside Maricopa County), officers will contact the appropriate agency and inquire how they would like the Department to proceed.

- The agency may request an IR to be completed or request CACU to assist with the initial investigation (contact CACU with questions or concerns).

(4) If the child sex crime occurred in the State of Arizona, responding officers will file a referral with the [Department of Child Safety](#) (DCS).

C. Patrol supervisors will contact CACU during normal business hours or the Violent Crimes Bureau (VCB) desk sergeant after hours to determine if it is appropriate/necessary for CACU to assume the initial investigation.

D. Telephone Reference Numbers:

DCS Child Abuse Hotline	1-888-767-2445* (1-888-SOS-CHILD)
CACU	(602) 534-3200
FIB	(602) 534-2121
VCB desk sergeant	(602) 262-6141
Legal Unit	(602) 534-0126
* For the law enforcement only number, contact the VCB desk sergeant.	

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2. **PROCEDURES WHEN CACU ASSUMES THE INITIAL INVESTIGATION**

- A. CACU detectives of FIB will normally assume the initial investigation of a child sex crime (day or night) if any of the following circumstances exist:
- In-home sexual abuse or suspect is known and there is an immediate danger of the victim being contacted or re-victimized by suspect
 - Search warrant is required to obtain evidence (pornography, videos, computers, photos, etc.)
 - Involves multiple victims or a complex investigation with several witnesses and/or suspects
 - Biological evidence needs to be preserved (medical examination) (see section 4 of this order for more information)
 - Suspect is not known to the victim and is in custody (see section 6 of this order for suspects not known to the victim and not in custody)
 - High-profile incident or person: for example, involving school or church personnel
 - Best interest of the Department
- (1) The CACU supervisor or detective/s will respond to the hospital (if applicable) or request the responding officer/s to transport the victim to the Family Advocacy Center (FAC) for an interview and/or medical examination.
- After normal business hours, the CACU supervisor and/or detective/s will be called out to respond to the hospital/FAC.
- (2) The officer who spoke directly to the reporting party will brief the CACU supervisor and/or detective/s and, at the direction of the CACU supervisor and/or detective, will document their involvement.

3. **PROCEDURES WHEN CACU DOES NOT ASSUME THE INITIAL INVESTIGATION**

- A. The initial Incident Report (IR) will be completed by patrol officers based on the information provided by the reporting party.
- The victim does not need to be present: for example, report is being made by a counselor or therapist.
 - See section 4 of this order for information regarding medical examinations.
- B. Officers should evaluate whether or not it is appropriate or necessary to interview the child.
- (1) Officers may interview older children (15 and over) if appropriate, and younger children (under 15) if necessary and/or at the direction of a CACU sergeant or detective.
- If an interview is done, officers should do the following:
 - * Talk with the child **alone** in a private setting.
 - * Consider audio recording the interview; however to put the victim at ease, also consider concealing the recorder.
 - * Ask who, what, when, and where. If it is necessary to go into detail once these questions are answered, use non-leading questions and phrases such as, "I heard something happened to you...tell me about that." ..."And then what happened right after that?"
 - * If the child is withdrawn or is known to have cognitive or learning disabilities, do not attempt to interview and document this information in the report.

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4. **MEDICAL EXAMINATION** - An examination performed by medical personnel/a Forensic Nurse Examiner (FNE) to collect specific specimens and document injuries (may be conducted up to 120 hours (5 days) after the sex crime).

NOTE: If the victim has not already done so, the victim should not bathe, change clothes, etc., prior to the examination.

- After contact is made with a CACU supervisor or the VCB desk sergeant, officers may be requested to transport the victim to FAC, 2120 North Central Avenue Suite 250, Phoenix, Arizona 85004.

5. **DOCUMENTATION**

- A. Child sex crime reports will be completed and approved following the priority guidelines outlined in [Operations Order 5.7.00, Reports](#).

- The Child Crime Incident Report template should be used when completing the IR.

6. **DUTY TO REPORT**

- A. Per [ARS 13-3620](#), certain persons (includes peace officers) who reasonably believe a minor is or has been a victim of abuse, physical injury that appears to have been inflicted on the minor by other than accidental means, neglect and denial, or deprivation of medical or surgical care or nourishment of minors, must immediately report, or cause reports to be made of, this information to a peace officer, DCS, or tribal law enforcement or social services agency for any Indian minor who resides on an Indian reservation.

- Failure to report a non-reportable offense is a class 1 misdemeanor.
- Failure to report a reportable offense is a class 6 felony. Reportable offenses:
 - * Indecent exposure – [ARS 13-1402](#)
 - * Public sexual indecency – [ARS 13-1403](#)
 - * Sexual abuse - [ARS 13-1404](#)
 - * Sexual conduct with a minor - [ARS 13-1405](#)
 - * Sexual assault - [ARS 13-1406](#)
 - * Child molestation – [ARS 13-1410](#)
 - * Voyeurism – [ARS 13-1424](#)
 - * Luring a minor for sexual exploitation – [ARS 13-3554](#)
 - * Surreptitious photographing, videotaping, filming or digitally recording, or viewing a minor - [ARS13-3019](#)
 - * Child prostitution - [ARS 13-3212](#)
 - * Incest - [ARS 13-3608](#)
 - * Unlawful mutilation – [ARS 13-1214](#)

NOTE: Specific knowledge that the information has already been reported satisfies the obligation to report.

Last Organizational Review: